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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,383	03/23/2004	Sheng-Chiao Liang	3076/150	9811

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EXAMINER

VO, ANH T N

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/806,383

Applicant(s)

LIANG, SHENG-CHIAO

Examiner

Anh T.N. Vo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

CLAIM REJECTIONS

Claim Rejections - 35 USC § 112

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Appropriate correction or clarification is required.

In claim 4, the recitation "said interior" lacks antecedent basis and it also is unclear what "said interior" is and where it comes from.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-3, 4 and 6-8 are rejected under 35 USC 102 (a) as being anticipated Sasaki et al. (US Pat. 6,899,418).

Sasaki et al. discloses in Figures 6-8, 12-15, 21 and 24 an ink cartridge for a recording device comprising:

- an internal compartment (230) (fig. 14);
- an external carapace (210) (Fig. 14);
- said internal compartment (230) being outfitted with an inkwell (310), spray nozzle (260), and air vent (280) (Figs. 13-14);
- said internal compartment (230) and said external carapace (210) being connected by connecting clasps (211, 237, 282, 232) (Figs 14, 21 and 24, column 19, lines 36-49);
- wherein said ink well (310) being covered using a plastic strip (302) (Fig. 14, column 19, lines

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1-4);

- wherein said interior of which allows the insertion of said internal compartment, forming said complete, standard size ink cartridge (Fig. 21);
- wherein said internal compartment (230) and said external carapace (210) to be connected as said complete ink cartridge (200) for use in printers (60) (Figs. 6-8 and 14).
- wherein said cartridge (200) is empty, then said internal compartment (230) and said external carapace (210) can be separated (Fig. 14); and
- wherein said empty internal compartment (main case 230 can be reused or can be disposed of) disposed of, and said external carapace (210) reused with a new internal compartment (Fig. 14).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior arts are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 USC 103 (a) as being unpatentable over Sasaki et al. (US Pat. 6,899,418).

Sasaki et al. disclose the claimed invention except for “said external carapace is u-shaped”. It would have been obvious to one having ordinary skill in the art at the time the invention was made to select changes in the shape of the external carapace being u-shaped for the purpose of easily coupling between two elements, i.e. the lid (210) and main case (230), since it is a mechanical design expedient for an engineer depending upon a particular environment and the applications in which the ink jet cartridge is to be used. In re Daily, 357 F.2d 669, 149 USPQ 47 (CCPA 1966). See MPEP 2144.04.

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5. The separable ink cartridge of claim 3, wherein said external carapace has an identification chip and printer connection clasps.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art references (US Pat. 5,896,151; US Pat. 5,984,462; US Pat. 6,973,409; US Pat. 6,585,358; US Pat. 6,719,418; US Pat. 6,783,219) cited in the PTO 892 form show an inkjet cartridge that is deemed to be relevant to the present invention. These references should be reviewed.


Allowable Subject Matter

Claim 5 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses a separable ink cartridge comprising an external carapace that has an identification chip and printer connection clasps in the combination as claimed.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M..

The fax number of this Group 2861 is (571) 273-8300.


ANH T.N. VO
PRIMARY EXAMINER
January 5, 2006